

AMENDED IN SENATE MARCH 31, 2009

**SENATE BILL**

**No. 283**

---

**Introduced by Senator DeSaulnier**

February 24, 2009

---

*An act to amend Section 17921.10 of the Health and Safety Code, An act to add Section 18934.1 to the Health and Safety Code, and to repeal Section 13557 of the Water Code, relating to building standards.*

LEGISLATIVE COUNSEL'S DIGEST

SB 283, as amended, DeSaulnier. Building standards: ~~voluntary best practices and mandatory requirements~~; recycled water systems.

(1) Existing law, the Water Recycling Act of 2006, requires the Department of Water Resources, in consultation with the State Department of Health Services, on or before July 1, 2008, to adopt and submit to the California Building Standards Commission regulations to establish a state version of Appendix J of the Uniform Plumbing Code to provide design standards to safely plumb buildings with both potable and recycled water systems.

This bill would repeal these provisions of law.

(2) The California Building Standards Law requires any building standard adopted or approved by a state agency to be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification.

This bill would require the commission, on or before July 1, 2010, to adopt building standards governing recycled water systems. The bill would require that the standards be based upon Chapter 16 of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, with any amendments, deletions, or additions deemed appropriate by the commission. The bill would require the

*building standards adopted by the commission to apply to specified occupancies and be consistent with certain requirements of existing law.*

~~Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction. Existing law authorizes the department to propose standards related to voluntary best practices and mandatory requirements related to environmentally preferable water using devices and measures that do not unreasonably or unnecessarily impact the ability of Californians to purchase or rent affordable housing.~~

~~This bill would authorize the department to include voluntary best practices and mandatory requirements related to environmentally preferable water using designs, in addition to devices and measures.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 18934.1 is added to the Health and Safety  
2     Code, to read:  
3     18934.1. (a) On or before July 1, 2010, the commission shall  
4     adopt, approve, codify, and publish in the California Building  
5     Standards Code building standards governing recycled water  
6     systems. The building standards adopted by the commission shall  
7     be based upon Chapter 16 of the Uniform Plumbing Code of the  
8     International Association of Plumbing and Mechanical Officials,  
9     with any amendments, deletions, or additions deemed appropriate  
10    by the commission. In developing building standards for recycled  
11    water systems pursuant to this section, the commission shall  
12    consider the recommendations of the Recycled Water Task Force  
13    of 2002. The commission may also consult with the Department  
14    of Water Resources, the State Department of Public Health, or  
15    any other agency it deems appropriate in developing the standards.  
16    The building standards for recycled water systems developed  
17    pursuant to this section shall be consistent with the requirements

1 of the Porter-Cologne Water Quality Control Act (Division 7  
2 (commencing with Section 13000) of the Water Code).

3 (b) (1) The building standards adopted by the commission  
4 pursuant to subdivision (a) shall apply to both of the following:

5 (A) Occupancies over which no other state agency has building  
6 standards jurisdiction.

7 (B) Any occupancy where another state agency has building  
8 standards jurisdiction but has not proposed or adopted building  
9 standards governing recycled water systems for that occupancy.  
10 The building standards adopted by the commission shall apply to  
11 the subject occupancy until the state agency with building  
12 standards jurisdiction proposes or adopts building standards  
13 governing recycled water systems for the subject occupancy, and  
14 the standards have become effective.

15 (2) Building standards for recycled water systems proposed by  
16 other agencies shall be based upon the same considerations set  
17 forth in subdivision (a), including, but not limited to, consistency  
18 with the Porter-Cologne Water Quality Control Act (Division 7  
19 (commencing with Section 13000) of the Water Code).

20 (c) The commission or any appropriate state agency may revise  
21 or update the standards adopted under this section at any time.

22 SEC. 2. Section 13557 of the Water Code is repealed.

23 ~~13557. (a) On or before July 1, 2008, the department, in~~  
24 ~~consultation with the State Department of Public Health, shall~~  
25 ~~adopt and submit to the California Building Standards Commission~~  
26 ~~regulations to establish a state version of Appendix J of the~~  
27 ~~Uniform Plumbing Code adopted by the International Association~~  
28 ~~of Plumbing and Mechanical Officials to provide design standards~~  
29 ~~to safely plumb buildings with both potable and recycled water~~  
30 ~~systems.~~

31 ~~(b) The department shall adopt regulations pursuant to~~  
32 ~~subdivision (a) only if the Legislature appropriates funds for that~~  
33 ~~purpose.~~

34 ~~SECTION 1. Section 17921.10 of the Health and Safety Code~~  
35 ~~is amended to read:~~

36 ~~17921.10. (a) The standards proposed by the department~~  
37 ~~pursuant to Section 17921 may include voluntary best practices~~  
38 ~~and mandatory requirements related to environmentally preferable~~  
39 ~~water using designs, devices, and measures. The standards shall~~  
40 ~~not unreasonably or unnecessarily impact the ability of Californians~~

1 ~~to purchase or rent affordable housing, as determined by taking~~  
2 ~~account of the overall benefit derived from the standards.~~

3 ~~(b) Nothing in this section shall in any way reduce the authority~~  
4 ~~of the State Energy Resources Conservation and Development~~  
5 ~~Commission to adopt standards and regulations or take other~~  
6 ~~actions pursuant to Division 15 (commencing with Section 25000)~~  
7 ~~of the Public Resources Code.~~